

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In Re:) 20-12914
Toniece Anderson,) Chapter 13
Debtor(s).) Judge LaShonda A. Hunt

NOTICE OF MOTION

TO: See attached Service List

PLEASE TAKE NOTICE that on August 6, 2021, at 10:15 am, or as soon thereafter as counsel may be heard, I shall appear before the Honorable LaShonda A. Hunt, or any other judge sitting in that judge's place, and present the Debtor's **Motion for Leave to Refinance Debt**, a copy of which is attached.

This motion will be presented and heard electronically using Zoom for Government. No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must do the following:

To appear by video, use this link: <https://www.zoomgov.com/join>. Then enter the meeting ID and password.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and password.

Meeting ID and passcode. The meeting ID for this hearing is 161 165 5696 and the passcode is 7490911. Additional information can be found on Judge Hunt's webpage on the court's website: <https://www.ilnb.uscourts.gov/content/judge-lashonda-hunt>.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

Toniece Anderson, Debtor(s)

By: /s/ John J. Ellmann

John J. Ellmann, Attorney for the Debtor(s)
DAVID M. SIEGEL & ASSOCIATES, LLC
790 Chaddick Drive, Wheeling, IL 60090
847/ 520-8100
davidsiegelbk@gmail.com

CERTIFICATE OF SERVICE

I, John Ellmann, Attorney for the Debtor(s), certify that I served a copy of this notice and the attached motion on each entity shown on the Service List at the address shown and by the method indicated on the list on July 21, 2021, at or before 5:00 pm.

/s/ John J. Ellmann

SERVICE LIST

To the following persons or entities who were served electronically by the Bankruptcy Court:

Glenn Stearns, Ch. 13 Trustee: mcguckin_m@lisle13.com

To the following persons or entities who were served via regular U.S. Mail:

Toniece Anderson
561 Pinebrook Drive
Bolingbrook, IL 60490

Simplify Home Loans
1261 South 820 East, Suite 200
American Fork, UT 84003

Pine Brook Homeowners Association
Keay & Costello, P.C.
128 S. County Farm Road
Wheaton, IL 60187

IRS
Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

Nationstar Mortgage LLC d/b/a Mr. Cooper
Attn: Bankruptcy Dept
POB 6190096
Dallas, TX 75261-9741

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In Re:) **20-12914**
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Toniece Anderson,) **Chapter 13**
)
Debtor(s).) **Judge LaShonda A. Hunt**

MOTION FOR LEAVE TO REFINANCE DEBT

NOW COMES the Debtor, by and through their attorneys, DAVID M. SIEGEL & ASSOCIATES, LLC, to present their Motion, and in support thereof state as follows:

1. Jurisdiction is proper and venue is fixed in this Court with respect to these parties.
2. On June 25, 2020 the Debtor filed a voluntary petition for relief pursuant to Chapter 13 under Title 11 USC, Glenn Stearns was appointed Trustee in this case, and the plan was confirmed on October 23, 2020.
3. The Debtor owns real estate located at 561 Pinebrook Drive, Bolingbrook, IL.
4. The Debtor wants to refinance the debt on said property for a lower monthly payment.
5. The Debtor has sought the services of Simplify Home Loans (Loan Summary attached as Exhibit A). The proposed loan is for a fixed interest rate of 3.125% with a monthly payment for principle and interest of \$1,566.28, which is lower than the current amount of \$1,701.00.
6. The refinance of said property will not prejudice any creditors and will facilitate the completion of Debtor's plan.

WHEREFORE, the Debtor prays that this Honorable Court enter an Order granting Debtor Leave to Refinance Debt and for other such relief as the Court deems fair and proper.

Respectfully Submitted,

/s/ John Ellmann

John J. Ellmann, A.R.D.C. #6257894
Attorney for the Debtor(s)

DAVID M. SIEGEL & ASSOCIATES, LLC
790 Chaddick Drive
Wheeling, IL 60090
847/ 520-8100


 EXHIBIT
A

Hello Toniece, here are the details of the loan that we spoke about.

 DS
Journals

FHA streamline

Savings Details:

	Before	After	Monthly Payment Reduction
Mortgage Payment	\$1,701	\$1,566	
Debt Payments	\$0	\$0	
Total Payments	\$1,701	\$1,566	\$135

Cash Benefits Details:

	Amount
Deferred/missed payments ¹	\$3,402
Escrow account refund ²	\$5,292
Total Cash Benefits	\$8,694

Cost Summary

Total Costs Shown on LE	\$7,301
Refunds & Cash Benefits After Closing	(\$9,917)
Net Closing Costs	(\$2,617)



Loan Terms Details:

Loan Rate	3.125%
Loan Program	FHA Streamline
Monthly Payment Breakdown	
Monthly Principal and Interest	\$846.52
Monthly Escrow	\$588.02
Mortgage Insurance	\$131.74
Monthly payment w/escrow	\$1,566.28
Transaction Breakdown	
Payoff of current mortgage loan	\$195,435
Closing Costs	\$3,979
FHA Upfront Mortgage Insurance	\$3,399
Lender cost/credit	(\$5,369)
New escrow account	\$5,292
FHA Mortgage Insurance Refund	(\$1,223)
Equals Total Transaction Amount	\$201,513
Minus New Loan Amount	\$197,611
Equals Cash To/From Borrower	\$3,902

Option 2: IRRRL